IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.1182 of 2001
Date of decision: 20.1.2009

Ludhiana Improvement Trust, Ludhiana

...Petitioner

Versus

Land Acquisition Tribunal, Ludhiana and others.

...Respondents

CORAM: HON'BLE MR.JUSTICE ADARSH KUMAR GOEL
HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rupinder Khosla, Advocate
for the Improvement Trust.

-.-

ADARSH KUMAR GOEL,J. (Oral)

1. This order will dispose of four writ petitions being CWP Nos. 8575, 8576 and 8577 of 1989 and CWP No. 1182 of 2001. Three petitions have been filed by land owners while the fourth one has been filed by Improvement Trust arising out of the same acquisition proceedings.

2. Notification under Section 36 of the Punjab Town Improvement Act, 1922 is dated 11.8.1972 to acquire 100 acres of land located at Rajpura Road for Development Scheme known as "100 Acres Development Scheme". The Land Acquisition Collector vide award dated 20.9.1974 determined compensation ranging from Rs.75/- per biswansi to Rs.113/- per biswanis. On reference, the Land Acquisition Tribunal enhanced the compensation to Rs. 39 for belt A and Rs.26 for belt B. Land owners were held entitled to enhance interest and solatium. This Court dealt with the matter vide judgment dated 2.5.2006 in CWP No. 1599 of 1986 **(Private Trust v. The Land Acquisition Tribunal, Ludhiana and**

others). This Court awarded flat rate of Rs.39/- per square yard holding that the entire land had the same potentiality.

3. In view of above, petition filed by the improvement Trust is liable to be dismissed and the petitions filed by the land owners are liable to be allowed in terms of judgment of this Court in **Private Trust's case** (supra). We order accordingly.

4. The petitions are disposed of.

(ADARSH KUMAR GOEL)
JUDGE

20.1.2009 **(JITENDRA CHAUHAN)**
mk **JUDGE**